

# EXHIBIT A

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

**DECEMBER 11, 2008**

**NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM**

October 19, 2009

Marvin F. Bruce (IRA)  
[REDACTED]  
[REDACTED]

Dear Mr. Bruce (IRA):

**PLEASE READ THIS NOTICE CAREFULLY.**

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim on BLMIS Account No. 1CM399 designated as Claim Number 13905:

Your claim for a credit balance of \$4,511,928.38 and for securities is **DENIED**. No securities were ever purchased for your account.

Further, based on the Trustee's analysis, the amount of money you withdrew from your account at BLMIS (total of \$1,665,737.67), as more fully set forth in Table 1 annexed hereto and made a part hereof, is greater than the amount that was deposited with BLMIS for the purchase of securities (total of \$1,382,637.29). As noted, no securities were ever purchased by BLMIS for your account. Any

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<sup>1</sup> Section 7811(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 7811(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

and all profits reported to you by BLMIS on account statements were fictitious.

Since there were no profits to use either to purchase securities or to pay you any money beyond the amount that was deposited into your BLMIS account, the amount of money you received in excess of the deposits in your account (\$283,100.38) was taken from other customers and given to you. Accordingly, because you have withdrawn more than was deposited into your account, you do not have a positive "net equity" in your account and you are not entitled to an allowed claim in the BLMIS liquidation proceeding. Therefore, your claim is **DENIED** in its entirety.

Should a final and unappealable court order determine that the Trustee is incorrect in his interpretation of "net equity" and its corresponding application to the determination of customer claims, the Trustee will be bound by that order and will apply it retroactively to all previously determined customer claims in accordance with the Court's order. Nothing in this Notice of Trustee's Determination of Claim shall be construed as a waiver of any rights or claims held by you in having your customer claim re-determined in accordance with any such Court order.

Nothing in this Notice of Trustee's Determination of Claim shall be construed as a waiver of any rights or claims held by the Trustee against you.

**PLEASE TAKE NOTICE:** If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court and the Trustee within **THIRTY DAYS** after October 19, 2009, the date on which the Trustee mailed this notice.

**PLEASE TAKE FURTHER NOTICE:** If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

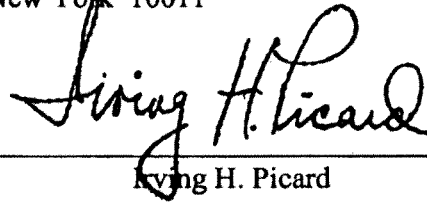
**PLEASE TAKE FURTHER NOTICE:** If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

**PLEASE TAKE FURTHER NOTICE:** You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for  
the Southern District of New York  
One Bowling Green  
New York, New York 10004

and

Irving H. Picard, Trustee  
c/o Baker & Hostetler LLP  
45 Rockefeller Plaza  
New York, New York 10011



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Irving H. Picard

Trustee for the Liquidation of the Business of  
Bernard L. Madoff Investment Securities LLC

cc: Michael A. Robinson  
79 S. Second Street  
Memphis, Tennessee 38103

DATE	TRANSACTION DESCRIPTION	AMOUNT
6/13/1996	CHECK	\$1,230,000.00
7/12/1996	CHECK	\$152,418.07
5/9/2000	CHECK	\$47.52
5/9/2001	CHECK	\$58.88
5/8/2002	CHECK	\$15.19
5/7/2003	CHECK	\$10.53
5/11/2004	CHECK	\$12.96
5/2/2008	CHECK WIRE	\$74.14
<b>Total Deposits:</b>		<b>\$1,382,637.29</b>
DATE	TRANSACTION DESCRIPTION	AMOUNT
3/29/2000	CHECK	(\$131,790.43)
1/12/2001	CHECK	(\$131,782.93)
3/27/2001	CHECK	(\$159,052.79)
3/27/2002	CHECK	(\$131,918.43)
3/26/2003	CHECK	(\$142,945.62)
3/24/2004	CHECK	(\$157,402.09)
5/6/2005	CHECK	(\$172,673.73)
4/28/2006	CHECK	(\$189,319.10)
4/10/2007	CHECK	(\$213,154.00)
3/14/2008	CHECK	(\$235,698.55)
<b>Total Withdrawals:</b>		<b>(\$1,665,737.67)</b>
<b>Total deposits less withdrawals:</b>		<b>(\$283,100.38)</b>

# EXHIBIT B

**CUSTOMER CLAIM**

Claim Number \_\_\_\_\_

Date Received \_\_\_\_\_

**BERNARD L. MADOFF INVESTMENT SECURITIES LLC**

In Liquidation

**DECEMBER 11, 2008**

(Please print or type)

Name of Customer: Marvin E. Bruce  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Account No.: 1-CM 399  
Taxpayer I.D. Number (Social Security No.): \_\_\_\_\_

**NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.**

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1. Claim for money balances as of **December 11, 2008**:

- a. The Broker owes me a Credit (Cr.) Balance of \$4,511,928.<sup>38</sup>
- b. I owe the Broker a Debit (Dr.) Balance of \$ ~~0~~
- c. If you wish to repay the Debit Balance,  
please insert the amount you wish to repay and  
attach a check payable to "Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC."  
If you wish to make a payment, it must be enclosed  
with this claim form. \$ NONE
- d. If balance is zero, insert "None." NONE

2. Claim for securities as of **December 11, 2008**:

**PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.**

- |   | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| a. The Broker owes me securities        | <u>X</u>   |           |
| b. I owe the Broker securities          |            | <u>X</u>  |
| c. If yes to either, please list below: |            |           |

Date of Transaction (trade date)	Name of Security	Number of Shares or Face Amount of Bonds	
		The Broker Owes Me (Long)	I Owe the Broker (Short)
	<u>Please see attached</u>		
	<u>statement of securities</u>		
	<u>dated 11-30-08</u>		

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

**PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.**



**NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.**

- |   | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| 3. Has there been any change in your account since December 11, 2008? If so, please explain.  | _____      | <u>X</u>  |
| 4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?   | _____      | <u>X</u>  |
| 5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker? | _____      | <u>X</u>  |
| 6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)    | _____      | <u>X</u>  |
| 7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.                         | _____      | <u>X</u>  |
| 8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.                   | _____      | <u>X</u>  |
| 9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker.  | _____      | <u>X</u>  |

Please list the full name and address of anyone assisting you in the preparation of this claim form:

Michael A. Robinson, Atty-In-Fact  
79 S. Second Street, Memphis, TN per  
38103 POA

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

**IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.**

**THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.**

(X) Date 2-04-08 (X) Signature *ME Bruce*  
Date \_\_\_\_\_ Signature \_\_\_\_\_

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

**This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:**

Irving H. Picard, Esq.,  
Trustee for Bernard L. Madoff Investment Securities LLC  
Claims Processing Center  
2100 McKinney Ave., Suite 800  
Dallas, TX 75201

Affiliated with  
**Madoff Securities International Limited**  
 12 Berkeley Street  
 Mayfair, London W1J 8DT  
 Tel 020 7493 6222

885 Third Avenue  
 New York, NY 10022  
 (212) 230-2424  
 800 334-1343  
 Fax (212) 838-4061

**BERNARD L. MADOFF**  
 INVESTMENT SECURITIES LLC  
 New York □ London

\*\*DUPLICATE\*\* FOR ACCOUNT NTC & CO.  
 MARVIN E BRUCE

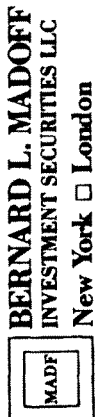
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YOUR ACCOUNT NUMBER  
 1-CM399-3-0

YOUR TAX PAYER IDENTIFICATION NUMBER  
 [REDACTED]

DATE	BOUGHT RECEIVED	SOLD DELIVERED	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12	2,574		2411	BALANCE FORWARD		275,129.87	
11/12	1,683		2913	WAL-MART STORES INC	55.830	143,808.42	
11/12	6,237		6737	INTERNATIONAL BUSINESS MACHS	87.270	146,942.41	
11/12	6,831		7239	EXXON MOBIL CORP	72.880	454,801.56	
11/12	3,267		11565	INTEL CORP	14.510	99,390.81	
11/12	4,455		15891	JOHNSON & JOHNSON	59.580	194,777.86	
11/12	2,376		20216	J.P. MORGAN CHASE & CO	38.530	171,829.15	
11/12	1,386		24542	COCA COLA CO	44.660	106,207.16	
11/12	2,574		28868	MCDONALDS CORP	55.370	76,797.82	
11/12	9,405		33194	MERCK & CO	28.550	73,589.70	
11/12	4,752		37520	MICROSOFT CORP	21.810	205,499.05	
11/12	1,881		50498	ORACLE CORPORATION	17.300	82,399.60	
11/12	1,089		51000	PEPSICO INC	56.410	106,182.21	
11/12	8,019		54824	APPLE INC	100.780	109,792.42	
11/12	1,881		55326	PFIZER INC	16.940	136,161.86	
11/12	3,564		59150	ABBOTT LABORATORIES	54.610	102,796.41	
11/12	1,287		59652	PROCTER & GAMBLE CO	64.080	228,523.12	
11/12	2,475		63476	AMGEN INC	59.160	76,189.92	
11/12	5,940		63978	PHILLIP MORRIS INTERNATIONAL	43.600	108,009.00	
11/12	1,980		67802	BANK OF AMERICA	21.590	128,481.60	
11/12	6,435		68304	QUALCOMM INC	33.770	66,943.60	
11/12	1,485		72128	CITI GROUP INC	12.510	80,758.85	
11/12	3,564		72630	SCHLUMBERGER LTD	49.480	73,536.80	
				COMCAST CORP	16.510	58,983.64	
				CL A			
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**BERNARD L. MADOFF**  
INVESTMENT SECURITIES LLC  
New York □ London

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PERIOD ENDING  
11/30/09

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YOUR ACCOUNT NUMBER  
1-CM399-3-0

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DATE	BOUGHT RECEIVED	SOLD DELIVERED	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
/12	7,029		76454	AT&T INC	27	190,064.00	
/12	1,782		76956	CONOCOPHILIPS	52.510	93,643.82	
/12	1,188		80780	UNITED PARCEL SVC INC CLASS B	52.040	61,870.52	
/12	7,227		81282	CISCO SYSTEMS INC	16.730	121,196.71	
/12	2,079		85106	U S BANCORP	29.530	61,475.87	
/12	2,475		85608	CHEVRON CORP	73.430	181,838.25	
/12	1,188		89432	UNITED TECHNOLOGIES CORP	53.160	63,201.08	
/12	12,573		89934	GENERAL ELECTRIC CO	19.630	247,309.99	
/12	3,366		93758	VERIZON COMMUNICATIONS	30.410	102,494.06	
/12	297		94260	GOOGLE	337.400	100,218.80	
/12	2,970		98084	WELLS FARGO & CO NEW	29.800	124,074.40	
/12			98586	HEWLETT PACKARD CO	34.900	103,771.00	
/12		4,425,000	20697	U S TREASURY BILL DUE 2/12/2009	99.936		4,422,168.00
/12				FIDELITY SPARTAN U S TREASURY MONEY MARKET DIV 11/12/08	DIV		127.42
/12		107,143	15795	FIDELITY SPARTAN U S TREASURY MONEY MARKET	1		107,143.00
/12	25,879		25164	FIDELITY SPARTAN U S TREASURY MONEY MARKET DIV 11/19/08	1 DIV	25,879.00	3.18
/19				CONTINUED ON PAGE 3			

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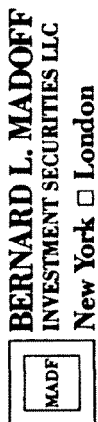
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**11/30/08**

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YOUR ACCOUNT NUMBER  
**1-CM399-3-0**

YOUR TAX PAYER IDENTIFICATION NUMBER  
 [REDACTED]

DATE	BOUGHT RECEIVED	SOLD DELIVERED	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
1/19		25,879	50424	FIDELITY SPARTAN	1		25,879.00
1/19	300,000		55058	U S TREASURY MONEY MARKET U S TREASURY BILL DUE 03/26/2009	99.926	299,778.00	
1/19	22,708		59463	FIDELITY SPARTAN U S TREASURY MONEY MARKET NEW BALANCE	1	22,708.00	
	7,029			SECURITY POSITIONS	MKT PRICE	551,735.74	
	1,881			AT&T INC	28.560		
	1,287			ABBOTT LABORATORIES	52.390		
	1,089			AMGEN INC	55.540		
	5,940			APPLE INC	92.670		
	2,475			BANK OF AMERICA	16.250		
	7,227			CHEVRON CORP	79.010		
	6,435			CISCO SYSTEMS INC	16.540		
	2,376			CITI GROUP INC	8.290		
	3,564			COCA COLA CO	46.870		
				COMCAST CORP	17.340		
				CL A			
	1,782			CONOCOPHILIPS	52.520		
	6,237			EXXON MOBIL CORP	80.150		
	12,573			GENERAL ELECTRIC CO	17.170		
				CONTINUED ON PAGE 4			



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DATE	BOUGHT RECEIVED	SOLD DELIVERED	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	297			GOOGLE	292.960		
	2,970			HEWLETT PACKARD CO	35.280		
	6,831			INTEL CORP	13.800		
	1,683			INTERNATIONAL BUSINESS MACHS	81.600		
	4,455			J.P. MORGAN CHASE & CO	31.660		
	3,267			JOHNSON & JOHNSON	58.580		
	1,386			MCDONALDS CORP	58.750		
	2,574			MERCK & CO	26.720		
	9,405			MICROSOFT CORP	20.220		
	4,752			ORACLE CORPORATION	16.090		
	1,881			PEPSICO INC	56.700		
	8,019			PFIZER INC	16.430		
	2,475			PHILLIP MORRIS INTERNATIONAL	42.160		
	3,564			PROCTER & GAMBLE CO	64.350		
	1,980			QUALCOMM INC	33.570		
	1,485			SCHLUMBERGER LTD	50.740		
	22,708			FIDELITY SPARTAN	1		
				U S TREASURY MONEY MARKET			
	2,079			U S BANCORP	26.980		
	1,188			UNITED PARCEL SVC INC	57.600		
	300,000			CLASS B			
				U S TREASURY BILL	99.971		
				DUE 03/26/2009			
				3/26/2009			
	1,188			UNITED TECHNOLOGIES CORP	48.530		
				CONTINUED ON PAGE 5			

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 New York ☐ London

\*\*DUPLICATE\*\* FOR ACCOUNT NTC & CO.  
 MARVIN E BRUCE

PERIOD ENDING <b>11/30/08</b>	PAGE <b>5</b>
YOUR ACCOUNT NUMBER <b>1-CM399-3-0</b>	YOUR TAX PAYER IDENTIFICATION NUMBER [REDACTED]

DATE	BOUGHT RECEIVED	SOLD DELIVERED	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
	3,366 2,574 4,158			VERIZON COMMUNICATIONS WAL-MART STORES INC WELLS FARGO & CO NEW  MARKET VALUE OF SECURITIES LONG 4,684,391.71 SHORT	32.650 55.880 28.890		

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 INVESTMENT SECURITIES LLC  
 New York □ London

\*\*DUPLICATE\*\* FOR ACCOUNT NTC & CO.  
 MARVIN E BRUCE

PERIOD ENDING  
**11/30/08**

YOUR TAX PAYER IDENTIFICATION NUMBER  
 [REDACTED]

YOUR ACCOUNT NUMBER  
**1-CM399-3-0**

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AMOUNT CREDITED  
 TO YOUR ACCOUNT

AMOUNT DEBITED  
 TO YOUR ACCOUNT

PRICE OR SYMBOL

DESCRIPTION

TIN

SOLD  
 DELIVERED

BOUGHT  
 RECEIVED

DATE

YEAR-TO-DATE SUMMARY  
 DIVIDENDS  
 GROSS PROCEEDS FROM SALES

31,184.  
 26,188,935.



Affiliated with  
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 MARVIN E BRUCE

PERIOD ENDING  
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 [REDACTED]

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DATE	BOUGHT RECEIVED	SOLD DELIVERED	TRN	DESCRIPTION	PRICE OR SYMBOL	AMOUNT DEBITED TO YOUR ACCOUNT	AMOUNT CREDITED TO YOUR ACCOUNT
11/12				BALANCE FORWARD			275,130.00
11/12			41846	S & P 100 INDEX	15.800		156,321.00
11/12	99		46172	NOVEMBER 460 CALL		176,319.00	
11/19			32277	S & P 100 INDEX	26		257,301.00
11/19	99		36602	NOVEMBER 450 PUT	30	297,099.00	
11/19			40927	DECEMBER 420 PUT	3	29,799.00	
11/19	99		45252	S & P 100 INDEX	37		366,201.00
11/19				NOVEMBER 430 CALL			551,736.00
11/19				S & P 100 INDEX			
11/19				NOVEMBER 430 PUT			
11/19				NEW BALANCE			
11/19				SECURITY POSITIONS	MKT PRICE		
11/19	99			S & P 100 INDEX	23.300		
11/19				DECEMBER 430 CALL			
11/19				S & P 100 INDEX	16.500		
11/19				DECEMBER 420 PUT			
11/19				MARKET VALUE OF SECURITIES			
11/19				LONG			
11/19				SHORT			
11/19				163,350.00			
11/19				230,670.00-			

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